

REMARKS

This application has been carefully reviewed in light of the Office Action dated February 7, 2005. Claims 1 to 9, 15 and 18 are in the application, of which Claims 1, 15 and 18 are in independent form, and have been amended to define still more clearly what Applicants regard as their invention. The specification has been amended as kindly suggested by the Examiner. A corrected drawing sheet, also adopting the Examiner's proposed correction, is in preparation and will be submitted shortly. Reconsideration and further examination are respectfully requested.

In the outstanding Office Action, Claims 1-4, 6, 15 and 18 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,356,893 (*Itakura et al.*). In addition, Claims 5 and 7 were rejected under 35 U.S.C. § 103(a) as being obvious from *Itakura* in view of U.S. Patent 6,219,708 (Martenson), and Claims 8 and 9, as being obvious from *Itakura* in view of U.S. Patent 6,185,603 (Henderson et al.).

Independent Claim 1 is directed to a data processing apparatus that comprises an instruction input unit, arranged to input a manual instruction by the operator, and a process unit, arranged to execute a predetermined process based on the input by the instruction input unit. A connection unit is arranged to connect with an external device, a storage unit stores message data received from the external device through the connection unit, and a display unit displays the message data stored in the storage unit. The apparatus also comprises a discrimination unit, arranged to discriminate whether or not the manual instruction by the operator is not input for a predetermined period of time, and a control unit, arranged to control the display unit to start displaying information based on the message data stored in the storage unit, in response to the discriminated result provided by

the discrimination unit that no manual instruction by the operator has been input for the predetermined period of time.

Thus, among other notable features of an apparatus according to Claim 1, are (i) that a discrimination is made as to whether or not a manual instruction by an operator is not input for a predetermined period of time, and (ii) that the display unit is controlled to start displaying information based on the stored message data in response to the discriminated result that no manual instruction by the operator has been input for the predetermined period of time.

These features are supported at least by steps S1305 and S1306 of Fig. 13 and the corresponding description at page 26 in the originally filed specification.

Itakura relates to a system in which a message such as an advertisement or the like created by the message provider 30 is displayed on the web browser of the terminal 10 connected to the information provider 20 (see window 62 of Fig. 7). In the *Itakura* system, the message is displayed and deleted by handing the “half/resume” button in the window 62 of Fig. 7 (column 8, lines 31-40).

In *Itakura*, the external message is displayed on the display of the terminal 10, and the operator of the terminal 10 inputs an instruction to display the message. Nothing in that patent, however, even suggests control of a display unit to start displaying information based on the stored message data in response to a discriminated result that no manual instruction by the operator is input for a predetermined period of time.

Moreover, in the apparatus of Claim 1, the message is displayed as a result of no manual instruction being input by the operator for the predetermined period of time, that is, a discrimination is made that no operation by the operator has been performed. Thus, for example, according to Claim 1, a message to arouse the operator’s attention when

the operator operates the data processing apparatus can be displayed even in a situation in which the operator is surmised not to be operating the apparatus. In fact, before the operator actually operates the data processing apparatus, he or she can see, for example, the message which concerns the matters to be attended to in the operation of the apparatus. As a result, necessary messages can more effectively be transmitted to the operators.

On the other hand, in *Itakura*, the message is displayed/deleted based on an operator's instruction, and no attention appears to be paid to whether or not the operator operates the terminal. In other words, it is apparent that the concept of *Itakura* is quite different from that of the control unit of the apparatus recited in Claim 1, and that nothing in that patent even remotely suggests the mentioned control unit. For all these reasons, Claim 1 is believed to be clearly allowable over that patent.

Independent Claims 15 and 18 are, respectively, a method and a computer-readable memory-medium claim corresponding to apparatus Claim 1, and are believed to be clearly allowable over *Itakura* for at least the reasons discussed above with regard to Claim 1.

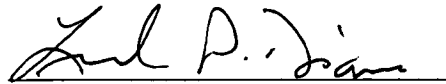
A review of the other art relied upon by the Examiner has failed to reveal anything which, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as a reference against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and allowance of the present application.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Leonard P. Diana", is written over a horizontal line.

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